

EXHIBIT 9

In the Matter Of:

Hammons vs University of Maryland Medical System

1:20-CV-02088-DKC

EVEREST SCOTT CONOVER

April 13, 2022



ESQUIRE
DEPOSITION SOLUTIONS

800.211.DEPO (3376)
EsquireSolutions.com

EVEREST SCOTT CONOVER
Hammons vs University of Maryland Medical System

April 13, 2022

1

1 UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF MARYLAND

3 -----x

4 JESSE HAMMONS,)

5 Plaintiffs,) Case No.:

6 V.) 1:20-CV-02088-DKC

7 UNIVERSITY OF MARYLAND MEDICAL)

8 SYSTEM CORPORATION, ET AL.,)

9 Defendants.)

10 -----x Pages 1-64

13 REMOTE VIDEOTAPED DEPOSITION OF

14 EVEREST SCOTT CONOVER

15 Wednesday, April 13, 2022

16 Towson, MD

17
18
19
20 Reported by: Sherry L. Brooks

21 Certified LiveNote Reporter

22 Job No. J8078717

April 13, 2022

11:30 a.m.

Remote Videotaped deposition via Zoom

videoconferencing of Everest Scott Conover at:

Towson, MD

Pursuant to notice, before Sherry L. Brooks,
Certified LiveNote Reporter and Notary Public, in and
for the State of Maryland.

1 ON BEHALF OF PLAINTIFF:

2 Jonathan S. Z. Hermann, Esquire

3 Joshua M. Goldman, Esquire

4 1133 Avenue of the Americas

5 New York, NY 10036

6 (212) 336-2000

7 E-mail: JHermann@pbwt.com

8 E-mail: JGoldman@pbwt.com

9
10 ON BEHALF OF DEFENDANTS:

11 Hannah Wigger, Esquire

12 Sheppard Mullin

13 2099 Pennsylvania Avenue, NW

14 Suite 100

15 Washington, DC 20006

16 (202) 747-1900

17 E-mail: HWigger@SheppardMullin.com

18
19 ALSO PRESENT:

20 George Ellis, Videographer

1 a joint UMMS -- UM Saint Joseph's medical board.

2 Q. I may have misspoken -- strike that. I'll 12:05
3 take a step back.

4 Are you aware of an entity called UMSJ 12:05
5 Health System, LLC?

6 A. I am. 12:05

7 Q. And you'll understand me if I refer to 12:05
8 them as UMSJ?

9 A. Yes. 12:05

10 Q. Is it fair to characterize UMSJ as the 12:05
11 holding company that owns Saint Joseph's?

12 A. It is. 12:05

13 MS. WIGGER: Object to form. 12:05

14 BY MR. HERMANN: 12:05

15 Q. And that Saint Joseph's -- I'm sorry -- 12:05
16 rather UMSJ is the sole member of Saint Joseph's?

17 A. UMSJ is the sole member of the University 12:05
18 of Maryland Saint Joseph's Medical Center, correct.

19 Q. And so circling back to my earlier 12:05
20 question, it's your understanding that the UMSJ board
21 and the Saint Joseph's board are the same, correct?

22 A. Correct. 12:05

1 Q. And, again, continuing with my previous 12:06
2 question, this ethics committee is accountable to
3 that joint UMSJ and Saint Joseph's board, correct?

4 MS. WIGGER: Object to form. 12:06

5 A. There are two separate boards that have an 12:06
6 identity of membership, but yes. The ethics
7 committee is -- reports to both. That is correct.

8 BY MR. HERMANN: 12:06

9 Q. And you say there are two boards. But 12:06
10 those boards are comprised of the same individuals,
11 correct?

12 A. Correct. 12:06

13 Q. I'm going to now jump to page 7, the PDF 12:06
14 is UMMS 1041, specifically Section 2.12, Audit of
15 Catholic Identity. And I'll let you just familiarize
16 yourself with that section.

17 A. Okay. 12:07

18 Q. Before reading this section, were you 12:07
19 aware that the Catholic Identity Agreement required
20 that Saint Joseph's undergo an audit by the National
21 Catholic Bioethics Center every two years?

22 MS. WIGGER: Object to form. 12:07

1 Q. Correct. 12:18

2 A. I believe that Dr. Thomas Smyth serves as 12:18
3 the president and CEO of both UMSJ and the University
4 of Maryland Saint Joseph's Medical Center, but yes,
5 that's my -- that is my understanding.

6 Q. And you mentioned Dr. Smyth. Is it your 12:18
7 understanding that UMMS is responsible for appointing
8 Dr. Smyth as CEO and president of Saint Joe's?

9 MS. WIGGER: Object to form. 12:18

10 A. It is. 12:18

11 BY MR. HERMANN: 12:18

12 Q. And I will go to page 7 of the PDF. 12:18

13 Again, I apologize for jumping around. It's UMMS
14 1217 and I'm looking at Section 3.03(a). And is that
15 consistent with your understanding that UMMS --
16 strike that -- that UMMS is responsible for
17 appointing the president and CEO of Saint Joe's?

18 MS. WIGGER: Object to form. 12:19

19 A. That is my understanding. 12:19

20 BY MR. HERMANN: 12:19

21 Q. So is it your understanding that UMMS has 12:19
22 certain authority to appoint both board members and